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UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

LORI TAMI,

Plaintiff,

v.

WILLIAM E. BUTLER, JR., ET AL.,

Defendants.

HON. KATHARINE S. HAYDEN

Civil Action No. 2:17-cv-12254-KSH-CLW

NOTICE OF MOTION

To: Sander Budanitsky, Esq.
Law Offices of Sander Budanitsky, LLC
520 West First Avenue
Roselle, NJ 07203

Jaclyn M. Frey, Deputy Attorney General
Office of the Attorney General of New Jersey
R.J. Hughes Justice Complex
25 Market Street, P.O. Box 116
Trenton, NJ 08625

PLEASE TAKE NOTICE, that on January 16, 2018, at 10:00 am, or as soon thereafter as counsel may be heard, WILLIAM E. FITZPATRICK, Acting United States Attorney for the District of New Jersey (ALLAN B. K. URGENT, Assistant United States Attorney, appearing), as attorney for Defendant United States of America, will apply to this Court for an Order dismissing this action as to the

United States of America for lack of subject matter jurisdiction, or alternatively for failure to state a claim upon which relief may be granted.

In support of this motion, the Court is respectfully referred to the attached Brief, Declaration and Proposed Order. Defendant United States requests that this motion be decided on the papers submitted, without oral argument, pursuant to Rule 78 of the Federal Rules of Civil Procedure.

Respectfully submitted,

WILLIAM E. FITZPATRICK
Acting United States Attorney

s/Allan B. K. Urgent

By:

ALLAN B. K. URGENT
Assistant United States Attorney

CERTIFICATE OF SERVICE

I, Allan B. K. Urgent, hereby certify that I caused to be served a copy of the within Notice of Motion, Brief, Declaration and Proposed Order by First Class Mail on December 12, 2017, upon the following person:

Sander Budanitsky, Esq.
Law Offices of Sander Budanitsky, LLC
520 West First Avenue
Roselle, NJ 07203

I further certify that a copy of the Notice of Motion, Brief, Declaration and Proposed Order were served through the Court's CM/ECF system on December 12, 2017, upon the following person:

Jaclyn M. Frey, Deputy Attorney General
Office of the Attorney General of New Jersey
R.J. Hughes Justice Complex
25 Market Street, P.O. Box 116
Trenton, NJ 08625

I declare under penalty of perjury that the foregoing is true and accurate to the best of my knowledge, information and belief.

Executed on this 12th day of December, 2017.

s/Allan B. K. Urgent

Allan B. K. Urgent
Assistant United States Attorney